

REMARKS

Claims 26-29 and 46 are pending in this application. Claim 26 has been amended. Claim 46 has been added. No claims have been cancelled.

No new matter has been added by the amendment. Reconsideration of the claims is respectfully requested.

I. Rejections under 35 U.S.C. 102

The Examiner has rejected claims 26 and 27 under 35 USC §102 as being anticipated by Marzocchi et al. (3,339,357) cited by applicant. This rejection is respectfully traversed.

In rejecting claims 26 and 27, the Examiner states:

See entire document: twisted strand 12 of continuous glass filaments untwisted to apply coating material such as rubber latex (liquid rubber) and then retwisted; filaments coated with sizing material (primer) before initial twisting into strand 12.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994).

Marzocchi discloses a method of forming a coated strand for use in textiles, specifically, coating glass filaments with rubber latex. However, Marzocchi does not teach the claimed invention for coating metal strands with liquid rubber for use in tires.

Furthermore, Marzocchi does not teach the specific limitation of claim 26 of applying primer coating to the filaments of the metal strand before they are coated with rubber as described in claim 1. Marzocchi also does not teach the limitation of claim 27, wherein a second coating of rubber is applied to the re-twisted metal strand as described in claim 1.

Therefore, the rejection of claims 26 and 27 under 35 USC §102 has been overcome.

II. Rejections under 35 U.S.C. 103

The Examiner has rejected claims 26-29 under 35 USC §103(a) as unpatentable over Bayne et al. (885,219). This rejection is respectfully traversed.

A prima facie case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993).

In rejecting the claims, the Examiner states:

See entire document and especially Figure 1: thread 1 untwisted into individual fibrous strands 2, strands coated in bath 5 of coating material in the form of india [sic] rubber dissolved in a solvent (liquid rubber), then re-twisted into the thread and coated in a second bath 10 of the coating material in order to completely impregnate the thread with the coating material. The reference does not disclose whether or not the fibrous strands are strands of untwisted filaments, however such would have been obvious to one of ordinary skill in the art in order to obtain complete impregnation of the thread. As to claim 29, the narrow end of coating bath 10 acts as an extruder; in any case, it would have been obvious to one of ordinary skill in the art to use such a notoriously well known alternative coating technique as extrusion in the above method.

The invention taught in Bayne comprises a fabric composed of fibrous strands grouped together to form threads, wherein each thread is coated with non-fibrous and flexible material. However, Bayne fails to disclose the claimed method in which the metal strand is coated with liquid rubber for use in tires. Furthermore, there is no teaching anywhere in Bayne that suggests the application of Bayne's textile methods for use with metal strands in tires.

Therefore, the rejection of claims 26-29 under 35 USC §103 has been overcome.

III. Conclusion

It is respectfully urged that the subject application is patentable over Marzocchi and Bayne and is now in condition for allowance.

Any questions regarding this matter or any issue related to this application can be directed to Christopher P. O'Hagan at (972) 367-2001.

Date 10/8/03

Respectfully submitted,

RECEIVED
CENTRAL FAX CENTER
OCT 08 2003

Christopher P. O'Hagan
Christopher P. O'Hagan
Registration No. 46,966
Attorney for Applicant
CARSTENS, YEE & CAHOON, L.L.P.
P.O. Box 802334
Dallas, TX 75380
(972) 367-2001
(972) 367-2002 Fax

OFFICIAL